

Weston Rogers

From: Matthew S. Skelton <mskelton@cchalaw.com>
Sent: Friday, June 2, 2023 3:07 PM
To: Weston Rogers
Cc: Andrew E. Wert; Daine Crabtree
Subject: RE: Follow up Questions - 17728 Sun Park Drive

Follow Up Flag: Follow up
Flag Status: Flagged

**WARNING: This external email is from
mskelton@cchalaw.com.**

Weston:

See responses in bold below. Does this adequately answer your questions? Anything else?

Thanks, Matt

- 1) To confirm, is this variance specifically for parcel no. 09-05-36-00-00-039.003 (the rectangular parcel) associated with 17728 Sun Park Drive?

Confirmed.

- 2) Can you provide some detail as to what land use activity is taking place to the west and north of the property at 17728 Sun Park Drive?

No. That property is owned by another party. The applicant intends to purchase 17728 Sun Park Drive subject to approval of the proposed variance. The applicant has no intention of acquiring the adjacent property.

- a. It appears the property to the west and north is "connected" in multiple capacities such as vehicular access, existing land uses, etc.

It does appear that the adjacent property has been being access through the subject property. To the extent that there is any non-conforming use or condition on the subject property, we would propose to resolve those items after the applicant completes the purchase of the property. Until then, the applicant does not have control of the property.

- b. Is the proposed "Automotive Refurbishing Business" planning to utilize the neighboring property in any capacity?

No.

- 3) Will there be any outdoor storage on the property as part of the "Automotive Refurbishing Business"? -or- will the use be completely contained inside the building?

The applicant's use will occur entirely within the building. On occasion there may be a few vehicles parked in a secured area behind the building. They would not be stored on site. These would be roadworthy vehicles in que for refurbishing or return to owners. The applicant's use does not involve work on wrecked vehicles.

- a. If outdoor storage is proposed, additional variances may need to be included in this request.

N/A

- 4) In regards to the Statement of Intent – this will need to be refined to include additional detail in order to more clearly define the proposed “Automotive Refurbishing Business”.

We have supplied a detailed description for “Automotive Refurbishing Business” below.

- a. The UDO discusses auto service uses (repair, service, etc.) as being considered High Intensity Retail. The Statement of Intent noting the “Automotive Refurbishing Business” use needs to delineate how this proposed use is different -or- doesn't completely “fit” the UDO definition. The verbal explanation of the “Automotive Refurbishing Business” use from the pre-filing meeting shared last week would be a good starting point.

The proposed Automotive Refurbishing Business will primarily perform cosmetic restoration work on fleet delivery vehicles. Up to 10%-20% of clients may be individual retail clients. 80%-90% will be non-retail clients. The non-retail component of the business involves members of the Automotive Refurbishing Business picking up from clients the fleet delivery vehicles needing service, driving them to the subject property, performing refurbishing service, and then returning the fleet vehicles to clients. This is not a predominantly retail use and it is not a high-intensity use.

Matthew S. Skelton | Attorney

Church Church Hittle + Antrim

Two North Ninth Street
Noblesville, IN 46060

P: 317.773.2190 | **F:** 317.773.5320

cchalaw.com

cch+a

From: Weston Rogers <wrogers@westfield.in.gov>

Sent: Wednesday, May 24, 2023 1:11 PM

To: Matthew S. Skelton <mskelton@cchalaw.com>

Cc: Andrew E. Wert <awert@cchalaw.com>; Daine Crabtree <dcrabtree@westfield.in.gov>

Subject: RE: Follow up Questions - 17728 Sun Park Drive

Thanks for the heads up Matt. If you could provide us with a response by mid next week at the latest that would be ideal.